

General interests of host states in international investment law

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Abstrak

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ABSTRACT

Signatory States have the right to take action in order to maintain their financial stability, stimulate economic development or further their non-economic interests (such as health, the environment and food security). However, such measures can potentially conflict with the rights of foreign investors. Regulators and policy makers must take States' international commitments toward foreign investors into account when making decisions. They must also avoid resorting to protectionism in drafting new treaties. With this tension in mind, this book offers a balanced reappraisal of bilateral treaties and regional agreements on foreign investments. The sensitive issues are examined in the light of the case law of arbitral investment tribunals and other international courts, and the analysis highlights how cross-fertilisation between trade and investment can assist in resolving conflicts.